

May 14, 2009

GLORIA L. FRANKLIN, CLERK
U.S BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

David N. Chandler, Sr. SBN 60780
David N. Chandler, Jr. SBN 235427
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Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: CASE No. 09-11266

PAUL NORMAN, and CHAPTER 11
TINA MARIE LEWIS,

Debtors. /

APPLICATION TO EMPLOY ATTORNEY
UNDER GENERAL RETAINER, AFFIDAVIT
OF PROPOSED ATTORNEY TO BE
EMPLOYED UNDER GENERAL RETAINER,
and ORDER AUTHORIZING EMPLOYMENT
OF ATTORNEY UNDER GENERAL
RETAINER

TO: THE HONORABLE ALAN JAROSLOVSKY, UNITED STATES BANKRUPTCY
COURT JUDGE:

The Application of Paul Norman and Tina Marie Lewis, Debtors
herein, respectfully represents:

1. Applicants are the Debtors in the above-captioned Chapter
11 proceeding.

2. Applicants wish to retain DAVID N. CHANDLER, p.c., a
professional corporation employing attorneys duly admitted to
practice in this Court, to represent them as general counsel before
this Court in the above-captioned case and provide them assistance
relative to the related case.

3. To the best of Applicants' knowledge, DAVID N. CHANDLER,
p.c., does not have any connection with the Debtors, their creditors
or any other party in interest, or their respective attorneys or
accountants, the United States Trustee or any person employed in the

1 office of the United States Trustee, and represents no interest
2 adverse to the estate in the matters upon which it is to be
3 retained, except as may be stated in the Affidavit of David N.
4 Chandler, filed herewith.

5 WHEREFORE, it is respectfully requested that the Debtors be
6 authorized to employ DAVID N. CHANDLER, p.c. under a general
7 retainer agreement, to represent Debtors in the above-captioned case
8 before this Court, and that Debtors have such other and further
9 relief as is just and proper.

10 Dated: 5/12/09 /s/ Paul Norman
11 PAUL NORMAN, Debtor

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13 Dated: 5/11/09 /s/ Tina Marie Lewis
14 TINA MARIE LEWIS, Debtor

15 AFFIDAVIT OF PROPOSED ATTORNEY TO
16 BE EMPLOYED UNDER GENERAL RETAINER

17 DAVID N. CHANDLER, being duly sworn, deposes and says:

18 1. I am an attorney at law, admitted to practice before all
19 courts of the State of California, as well as this Court. I
20 maintain an office at 1747 Fourth Street, Santa Rosa, California.

21 2. Insofar as I have been able to ascertain, I do not, nor
22 does any member/employee of my firm, David N. Chandler, p.c., have
23 any connection with the Debtors herein, their creditors, or any
24 other party in interest or their respective attorneys and
25 accountants, the United States Trustee or any person employed in the
26 Office of the United States Trustee except as stated herein.

27 3. Insofar as I have been able to ascertain, I do not
28 represent any interest adverse to that of the estate of the debtors

1 in the matters upon which I am to be engaged. I have never
2 represented and have no prior contacts with the Debtors herein. I
3 have no connections with any creditors insofar as known and
4 represent no interests and have no interests except as stated
5 herein.

6 4. The connections set forth herein are intended to comply
7 with the disclosure requirements of Section 327 as set forth in In
8 re Park Helena Corp., 63 F.3d 877, 882 (9th Cir. 1995).

9 5. The following connections exist between the Declarant and
10 the Debtors herein:

11 a. The declarant and the Debtor had an attorney client
12 relationship prior to the within Application upon consultation;

13 b. Declarant and Debtor have electronic connections
14 through internet service providers and telephone systems.

15 6. The forgoing connections set forth in paragraph 5 hereof
16 are the only connections known to the Declarant which Declarant has
17 with the Debtors.

18 7. The following connections exist between the Declarant and
19 creditors of the Debtor herein:

20 a. Declarant currently, and has in the past,
21 represent[ed] debtors in unrelated matters who [which] have
22 creditors in common with the Debtors herein and have discharged all
23 or a portion of the claims of such creditors; and

24 b. Declarant has creditors in common with the Debtors,
25 i.e., Pacific Gas and Electric Company, and IRS.

26 8. Declarant has no known connections with any creditor in the
27 case their attorneys or accountants, except as set forth in
28 paragraph 7 hereof.

1 9. Based on the foregoing, I am a disinterested person within
2 the meaning of Section 101(13) and 327 of the Bankruptcy Code.
3 David N. Chandler, p.c. is disinterested.

4 10. I am well qualified to represent the Debtors generally
5 herein, and am willing to accept employment on the basis set forth
6 in the annexed application.

7 11. My hourly rate is \$385.00 per hour for my time, \$265.00
8 per hour for associate attorney time and \$110.00 per hour for
9 paralegal time.

10 12. Affiant has advised the Debtors of my willingness to serve
11 as their counsel under a general retainer based on time and standard
12 billable charges.

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14 Dated: 5/14/09

/s/ David N. Chandler
DAVID N. CHANDLER
Attorney for Debtors

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17 ORDER AUTHORIZING EMPLOYMENT OF
 ATTORNEY UNDER GENERAL RETAINER

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19 Upon the application of Paul Norman and Tina Marie Lewis, the
20 Debtors herein, dated May 12, 2009, for an order authorizing them to
21 employ and retain DAVID N. CHANDLER, p.c. as their attorney under a
22 general retainer, and upon the annexed affidavit of David N.
23 Chandler, sworn to on May 14, 2009, and it appearing that DAVID N.
24 CHANDLER is duly admitted to practice before this court, and the
25 court being satisfied that said attorney, along with his firm, David
26 N. Chandler, p.c., represents no interest adverse to the estate with
27 respect to matters upon which he is to be engaged, that he is a
28 disinterested person under Section 101(13) and 327 of Title 11,

1 United States Code, that his employment is necessary and would be in
2 the best interest of the estate, and sufficient cause appearing
3 therefore:

4 IT IS SO ORDERED that Paul Norman and Tina Marie Lewis be and
5 are hereby authorized to employ and retain DAVID N. CHANDLER, p.c.
6 as their attorney under a general retainer to perform all of the
7 services set forth in the annexed application, with such
8 compensation as is approved by the court.

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10 Dated: May 14, 2009

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12 Alan Jaroslovsky
13 U.S. Bankruptcy Judge
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